



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Re Application of:

Guo Qiang Wang et al.

Appln. No.: 09/892,569

Filed: June 28, 2001

For: USER-CONSTRAINED OPTICAL ROUTE:  
FLOODING SYSTEM AND METHOD :

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

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: Group Art Unit: 2633  
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: Examiner: N. Curs  
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DEC 20 2004  
Technology Center 2600

**DECLARATION UNDER 37 C.F.R. § 1.131**

Sir:

I, Guoli Yin, hereby declare that I am a co-applicant in the above-identified patent application and that I am also a co-inventor of the invention that is described and claimed in the above-identified patent application. I also hereby declare that prior to December 8, 2000, my co-inventor and I conceived of the invention that is described and claimed in the above-identified patent application as evidenced by the following:

1. Prior to December 8, 2000, my co-inventor and I conceived of the invention in Canada, which is a NAFTA and a WTO member country. At the time of the invention, I owed a duty of assignment of the invention to Nortel Networks Limited (hereinafter "Nortel").

2. Shortly after my co-inventor and I conceived of the invention, my co-inventor and I submitted a description of the invention to the appropriate Nortel patent review committee for purposes of obtaining approval to file a patent application for the invention. A date redacted copy of the description of the invention (i.e., our invention disclosure) is attached hereto as Exhibit A.

3. To the best of my knowledge, the Nortel patent review committee followed its standard procedures in reviewing and subsequently approving of the filing of a patent application based upon our invention disclosure. A date redacted copy of an internal Nortel memo approving the filing of the patent application is attached hereto as Exhibit B.

4. On November 6, 2000, our invention disclosure was forwarded to one of Nortel's outside patent attorneys for preparation of a patent application. A copy of a transmittal letter authorizing preparation of a patent application is attached hereto as Exhibit C.

5. Between November 6, 2000, and June 4, 2001, my co-inventor and I had discussions regarding our invention disclosure with the outside patent attorneys, and provided additional supporting materials to the outside patent attorneys, all intended to assist the outside patent attorneys in preparing a patent application for the invention.

6. On June 4, 2001, my co-inventor was forwarded a draft of the patent application. A copy of the transmittal letter sending the draft is attached hereto as Exhibit D.

7. On June 22, 2001, my co-inventor was forwarded a final draft of the patent application. A copy of the transmittal letter sending the draft is attached hereto as Exhibit E.

8. On June 26, 2001, I executed the above-identified patent application. A copy of my signed declaration filed with the application is attached hereto as Exhibit F.

9. On June 28, 2001, the above-identified patent application was filed. A copy of the filing receipt for the application is attached hereto as Exhibit G.

I further hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

DECLARANT: 

Guoli Yin

Date: 